

**SECOND DAY.**

Senate Chamber,  
Austin, Texas,  
September 29, 1936.

The Senate met at 11 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Walter F. Woodul.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
DeBerry.	Sanderford.
Hill.	Shivers.
Holbrook.	Small.
Hornsby.	Stone.
Isbell.	Sulak.
Martin.	Van Zandt.
Moore.	Weinert.
Neal.	Westerfeld.
Nelson.	Woodruff.

Absent—Excused.

Fellbaum.

Prayer by the Chaplain, Rev. Virgil Fisher.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Hill.

**Petitions and Memorials.**

(See Appendix.)

**Committee Reports.**

(See Appendix.)

**Bills and Resolutions.****S. C. R. No. 2.**

By Senators Davis, Small, Redditt and Neal:

Whereas, Under the statutes relating to free text books, the State Board of Education is authorized to select and adopt a uniform system of text books to be used in the public free schools of Texas; and

Whereas, There is some uncertainty as to whether or not the State Board of Education has authority to select and adopt text books on the reading of music; and

Whereas, In the public free schools where music is being taught, especially in the bands of many of the

public free schools, the pupils interested in such subject are put to quite an expense in purchasing text books on the reading of music; and

Whereas, It is deemed advisable to clarify and make certain that text books on the reading of music are included among the subjects for which text books are permitted to be selected and adopted by the State Board of Education; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That it was and is now the intention of the Legislature to include among the text books authorized to be selected and adopted by the State Board of Education, text books on the reading of music and that the reading of music is included in the subjects authorized to be taught in the public free schools of Texas; and, be it further

Resolved, That such is the legislative construction to be placed on the statutes governing the selection of text books in the public free schools of Texas.

Read and referred to Committee on Education.

**Message From the House.**

The Chair recognized the Doorkeeper, who introduced a messenger from the House with the following message:

Hall of the House of Representatives,  
Austin, Texas, Sept. 29, 1936.

Hon. Walter F. Woodul, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000.00) or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of members and the per diem of officers and per diem of employees of the Third Called Session of the Forty-fourth Legislature; also to cover unpaid expenses of the First and Second Called Sessions of the Forty-fourth Legislature, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,  
Chief Clerk, House of Representatives.

**House Bill No. 1.**

The Chair laid before the Senate on its first reading the following bill:

By Mr. Leonard:

H. B. No. 1, A bill to be entitled "An Act making an appropriation of the sum of one hundred thousand dollars (\$100,000.00) or so much thereof as may be necessary out of any funds in the State Treasury, not otherwise appropriated, to pay the contingent expenses and to pay the mileage and per diem of members and the per diem of officers and per diem of employees of the Third Called Session of the Forty-fourth Legislature; etc., and declaring an emergency."

Read and referred to Committee on Finance.

**Senate Bill No. 2.**

By Senator Burns:

S. B. No. 2, A bill to be entitled "An Act requiring ad valorem taxes to be paid on the listed and rendered value in order to prevent the accrual of penalty and interest; further requiring the payment of such taxes on the listed and rendered value by the owner as a condition to resisting the valuation fixed by the board of equalization, in any court; further authorizing the tax assessor and collector to receive the taxes based on the listed and rendered value and to issue a special receipt therefor; further directing the State Comptroller to prescribe and furnish the form for such special receipt; further allowing the owner thirty days after the effective date of this Act within which to pay delinquent taxes based on the listed and rendered value of the property; further providing that this Act shall not in any wise affect or impair the rights of the State, county, or other political subdivision to the taxes, penalty and interest accruing on the property valuation over and above the rendered and listed value; further providing that the provisions of this Act are severable; repealing all laws or parts of laws in conflict with this Act; and declaring an emergency."

Read and referred to Committee on State Affairs.

**Senator Elect.**

The Chair announced that the Senator-elect, W. L. Winfield, from

the Twenty-ninth Senatorial District, was in the Senate Chamber.

Senator Regan introduced Mr. Winfield, who briefly addressed the Senate.

**Senate Resolution No. 2.**

Whereas, It has pleased Almighty God in his wisdom to remove from our midst a great editor, a loyal citizen of Texas and a man of unusual ability and fine personal qualities in the recent untimely death of Eugene R. Millis of Houston; and

Whereas, Mr. Millis, through his work as chief editorial writer for the Houston Chronicle, and through his many personal contacts, was an influence for good and for sanity and for clear thinking among the various branches of our State government; and

Whereas, Although not a native of Texas, he was an adopted son since early manhood, having been brought to Texas by his father, a Methodist minister of fine learning and high esteem in his chosen work, was educated at Rice Institute, graduating in the second class from that great college, returned to Houston, Texas, with deep affection for the people and the aspirations of this great commonwealth, after the war, and cast his lot among us; married there, bought his home there, and in every way became a part of the life of the community around him; and

Whereas, Realizing that the man of the pen often can be of greater service than he in the army or he on the hustings, he prepared himself by serious study of all our problems to write worthily for our instruction and our inspiration; and

Whereas, For a decade, his editorials have dealt genuinely and clearly and, above all, honestly and fairly with the problems of government and with all the grave issues before our people, with taxes, with relief, with assistance to the underprivileged, with schools and all other branches of our cultural life; he was liberal, but not a demagogue, firm but not dogmatic; and

Whereas, Though the medium of expression is different, the members of this House have had a great unity of thought and purpose with the same high ideals which stirred him to write in forceful language, to exhort where exhortation was needed,

to chide when a public purpose was served thereby, and freely to praise when praise was deserved; now, therefore, be it

Resolved, That the Senate of Texas express its deepest regret at the passing of this great citizen, and that when it adjourns today it do so in his memory; be it further

Resolved, That a copy of these resolutions be transmitted to his family.

MOORE,  
WOODUL, Lieut. Gov.

The Chair received unanimous consent to add his name to the above resolution.

Read and adopted.

#### Adjournment.

On motion of Senator Moore, the Senate adjourned until 10 o'clock a. m. Wednesday.

#### APPENDIX.

##### Committee on Engrossed Bills.

Committee Room,  
Austin, Texas, Sept. 29, 1936.  
Hon. Walter F. Woodul, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 1 carefully examined and compared and find same carefully engrossed.

DAVIS, Chairman.

#### THIRD DAY.

Senate Chamber,  
Austin, Texas,  
September 30, 1936.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Roy Sanderford.

The roll call disclosed a quorum, the following Senators being present:

Beck.	Oneal.
Blackert.	Pace.
Burns.	Poage.
Collie.	Rawlings.
Cotten.	Redditt.
Davis.	Regan.
Hill.	Sanderford.
Holbrook.	Shivers.
Hornsby.	Small.
Isbell.	Van Zandt.
Martin.	Weinert.
Moore.	Westerfeld.
Neal.	Woodruff.
Nelson.	

#### Absent—Excused.

DeBerry.	Stone.
Fellbaum.	Sulak.

Prayer by the Rev. Virgil Fisher.

Further reading of the Journal was dispensed with on motion of Senator Martin.

#### Committee Reports.

(See Appendix.)

#### Bills and Resolutions.

##### S. C. R. No. 3.

By Senator Holbrook:

Whereas, Paul Whiteman, and his celebrated band, will be in Austin today for the purpose of giving a concert at the Hogg Memorial Building on the University of Texas Campus; and

Whereas, Mr. Whiteman and his organization have added materially to the success of the Centennial in furnishing high class entertainment and music at Fort Worth as a part of the Centennial entertainment in that city, and has thereby been helpful in advertising Texas throughout the Nation; now, therefore, be it

Resolved by the Senate, the House of Representatives concurring, that Mr. Whiteman and his good company be invited to attend a joint session of the House and Senate when they arrive here this morning, to be given as our testimonial of the high esteem in which he and his company are held, and to afford Mr. Whiteman an opportunity of addressing the joint session, and to give us any other entertainment which he may have in store.

Read and adopted.

##### S. C. R. No. 2.

The Chair laid before the Senate on its second reading the following resolution:

By Senator Davis, et al.:

S. C. R. No. 2, Relating to free text books in schools where music is taught.

Senator Davis moved that the rule requiring committee reports to lie over one day was suspended by unanimous consent.

The committee report recommending that the resolution be not printed was adopted by unanimous consent.

The resolution was read second time and adopted.

#### Message From the Governor.

The Chair recognized the Doorkeeper, who introduced a messenger